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9 *Lead Counsel for Class Representative*  
Jonathan Davis and the Class

11  
12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15  
16 JONATHAN DAVIS and ROEI AZAR, on  
Behalf of All Others Similarly Situated,

17 Plaintiffs,

18 v.  
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20 YELP, INC., JEREMY STOPPELMAN,  
LANNY BAKER, and JED NACHMAN,

21 Defendants.  
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Case No. 3:18-cv-00400-EMC

**JOINT STIPULATION AND ~~PROPOSED~~**  
**ORDER CONTINUING DATE TO FILE**  
**MOTION FOR PRELIMINARY**  
**APPROVAL OF SETTLEMENT**

The Hon. Edward M. Chen

1       Lead Plaintiff Jonathan Davis, on behalf of himself and the certified class (“Lead  
2 Plaintiff”), and Defendants Yelp Inc., Jeremy Stoppelman, Lanny Baker and Jed Nachman  
3 (collectively “Defendants”; and together with Lead Plaintiff, the “Parties”), hereby enter into the  
4 following stipulation and jointly request that the Court reset the date for Plaintiff to file his motion  
5 for preliminary approval of the settlement of the above-captioned action (the “Action”).

6       WHEREAS, on September 9, 2021, the Court entered an Order Denying Defendants’  
7 Motion for Summary Judgment (ECF No. 169);

8       WHEREAS, on November 12, 2021, the Parties participated in a mediation but failed to  
9 reach an agreement to settle the Action;

10       WHEREAS, on November 24, 2021, the Parties reached an agreement in principle to  
11 settle the Action in its entirety;

12       WHEREAS, on December 3, 2021, the Parties executed a Settlement Term Sheet, setting  
13 forth all the material deal points associated with resolution of the Action;

14       WHEREAS, on December 10, 2021, the Court entered an Order: (1) stating that Plaintiff  
15 will submit his motion for preliminary approval of the proposed class action settlement within 60  
16 days, or will provide the Court with an update at that time; (2) requiring the Parties to submit a  
17 Joint Report on March 1, 2022; and (3) setting a Status Conference for March 8, 2022 at 2:30 p.m.  
18 (ECF No. 178);

19       WHEREAS, the Parties have been diligently working on the Stipulation of Settlement and  
20 exhibits thereto;

21       WHEREAS, there are many constituencies involved in the review and approval of the  
22 settlement terms, including Yelp’s board of directors and insurance carriers;

23       THEREFORE, IT IS STIPULATED AND AGREED between the undersigned Parties, by  
24 and through their respective counsel and subject to the Court’s approval, as follows:

25       1.       Plaintiff will submit his motion for preliminary approval of the proposed class  
26 action settlement by March 1, 2022, or the Parties will submit a Joint Report updating the Court at  
27 that time.

1 IT IS SO STIPULATED, through Counsel of Record.

2 Dated: February 8, 2022

**ARNOLD & PORTER KAYE SCHOLER LLP**

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*Attorneys for Defendants Jeremy Stoppelman,  
Lanny Baker, and Jed Nachman and Nominal  
Defendant Yelp Inc.*

12 Dated: February 8, 2022

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1 Dated: February 8, 2022

**HOLZER & HOLZER, LLC**

2 By: /s/ Corey D. Holzer

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8 *Attorneys for Lead Plaintiff Jonathan Davis*  
9 *and the Class*

10 **ATTESTATION PURSUANT TO LOCAL RULE 5-1(h)(3)**

11 This certifies, pursuant to Civil Local Rule 5-1(h)(3), that all signatories to this document  
12 concur in its content and have authorized this filing.

13 Dated: February 8, 2022

s/ Kara M. Wolke

14 Kara M. Wolke

15  
16 **PURSUANT TO STIPULATION IT IS SO ORDERED.**

17  
18 DATED: February 9, 2022

19   
HONORABLE EDWARD M. CHEN  
20 UNITED STATES DISTRICT JUDGE  
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